

EXHIBIT 4



24050230

FILED
ALAMEDA COUNTY

MAR 11 2021

CLERK OF THE SUPERIOR COURT

By *[Signature]* Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

IN RE ROUNDUP PRODUCTS CASES

No. JCCP 4953

ORDER ON CCP 36
PREFERENCE MOTION OF MILLER

DATE 3/10/21
TIME 10:00 AM
DEPT 21

The motion for trial preference of Miller came on for hearing on 3/10/21, in Department 21 of this Court, the Honorable Winifred Y. Smith presiding. Having reviewed the papers, and good cause appearing, IT IS HEREBY ORDERED: The motion for trial preference of Miller is GRANTED. (R-2238314.)

THE CCP 36(a) STANDARD

The court applies the CCP 36(a) standard as set out in the orders of 7/23/19 and 10/3/19. PREFERENCE MOTION IN THE CONTEXT OF A JCCP GENERALLY.

The court applies the CCP 36(a) standard as set out in the order of 12/14/20.

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2 PREFERENCE MOTIONS IN THE CONTEXT OF THIS JCCP SPECIFICALLY

3 The court applies the CCP 36(a) standard as set out in the order of 12/14/20.
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5 ASSIGNMENT OF CASES TO COURTS FOR TRIAL

6 The court applies the CCP 36(a) standard as set out in the order of 12/14/20.
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9 EFFECT OF ORDERS GRANTING TRIAL PREFERENCE

10 The court applies the analysis regarding the effect of an order granting trial preference as
11 set out in the order of 12/14/20.
12

13 MILLER MOTION FOR TRIAL PREFERENCE

14 The motion for trial preference of Miller under CCP 36(a) is GRANTED. (*Miller v.*
15 *Monsanto*, San Francisco Case No. CGC-20-587445.)

16 Miller is over 70 years of age. He is 80 years old.

17 Miller is a plaintiff asserting a claim and has a substantial interest in the action as a
18 whole.
19

20 The court turns to “the health of the moving party.” The court reviews the medical
21 records. Miller’s health is precarious.

22 Weighing the evidence, the court finds that Miller has demonstrated that his health is
23 either significantly impaired or there is a reasonable medical probability that it will become
24 significantly impaired in the near future.
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2 MILLER ASSIGNMENT FOR TRIAL.

3 Miller appears to reside in or near Stockton, CA, and is being treated in Lodi and in
4 Stockton, CA. These are in San Joaquin County. Consistent with CRC 3.543(b) and (c) and
5 the Order of 8/13/19, the court ORDERS:

- 6
- 7 1. The case of *Miller v. Monsanto*, San Francisco Case No. CGC-20-587445, is assigned to
8 the Superior Court of the State of California, San Joaquin County, for trial.
 - 9 2. Counsel for Miller must file a copy of this order in *Miller v. Monsanto*, San Francisco
10 Case No. CGC-20-587445.
 - 11 3. The *Miller* case remains part of the coordination proceeding for purposes of the CRC
12 3.501 et seq, concerning the coordination of complex cases.
 - 13 4. On receipt of this order, the San Joaquin Superior Court may exercise jurisdiction over
14 the action in accordance with the orders and directions of the coordination trial judge, and
15 no other court may exercise jurisdiction over that action except as provided in CRC
16 3.543.

17
18 The court does not preclude the parties from initiating or continuing the exchange of information
19 through the Plaintiff Fact Sheet and discovery generally. The court will not set a pre-trial
20 schedule for the case. The superior court of San Joaquin County will determine the pre-trial
21 schedule and the trial date.

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23 ///

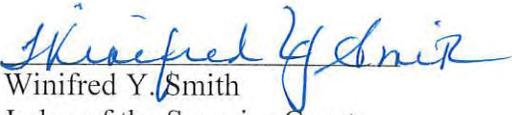
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1 The court ORDERS that the law firms of (1) Gibbs Law Group., LLP, (2) Trammell, PC.,
2 and (3) Kirkendall Dwyer, LLP. must each take all reasonable measures to ensure that the case is
3 transferred to its trial jurisdiction and is brought to trial as promptly as possible consistent with
4 the due process rights of the defendants and the scheduling and staffing constraints of the court.
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8 Dated: March 11, 2021


Winifred Y. Smith
Judge of the Superior Court

Superior Court of California, County of Alameda
Department 21, Administration Building

Case Number: JCCP004953

Case Name: ROUNDUP PRODUCT CASES

RE: ORDER ON CCP 36 PREFERENCE MOTION OF MILLER

DECLARATION OF ELECTRONIC SERVICE

I certify that I am not a party to these cases and that a true and correct copy of the foregoing document was served electronically pursuant to Case Management Order No. 2, entered in these coordinated proceedings on March 23, 2018, via the CASE ANYWHERE system. Execution of this certificate occurred at 1221 Oak Street, Oakland, California.

Executed on March 15, 2021

Executive Officer/Clerk of the Superior Court

By Christopher Wright
Deputy Clerk